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United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSEPH ROCHA

Defendants.

CASE NO. 1:24-CR-00081-KES-BAM

STIPULATION TO CONTINUE STATUS
CONFERENCE; AND ORDER

IT IS HEREBY STIPULATED by and between Phillip A. Talbert, United States Attorney and Robert L. Veneman-Hughes, Assistant U.S. Attorney and and Christina Corcoran, attorney for defendant Joseph ROCHA, that the status conference set for October 23, 2024 at 1:00 pm before the Honorable Barbara A. McAuliffe be continued to January 22, 2025 at 1:00 p.m.

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. The parties need additional time to further investigate/explore matters related to resolving the case or setting a trial date.

2. By this stipulation, defendant now moves to continue the status conference, and to exclude time from October 23, 2024 to January 22, 2025.

3. The parties agree and stipulate, and request that the Court find the following:

a) The government has represented that the discovery associated with this case includes investigative reports, and related documents, photographs, etc., in electronic form. All

1 of this discovery has been either produced directly to counsel and/or made available for
2 inspection and copying.

3 b) With respect to the additional time from October 23, 2024 to January 22, 2025,
4 defense would further like additional time for defense investigation, and the government does not
5 object to the continuance on this basis.

6 c) An ends-of-justice delay is particularly apt in this case because:

- 7 • Defendant needs additional time to conduct additional investigation

8 d) Based on the above-stated findings, the ends of justice served by continuing the
9 case as requested outweigh the interest of the public and the defendant in a trial within the
10 original date prescribed by the Speedy Trial Act.

11 e) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
12 et seq., within which trial must commence, the time period of October 23, 2024 to January 22,
13 2025, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(1)(D), as the parties are
14 in the middle of litigation regarding Mr. Rocha's motion to dismiss, and pursuant to 18
15 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(iv) because it results from a continuance granted by the
16 Court at defendants' request on the basis of the Court's finding that the ends of justice served by
17 taking such action outweigh the best interest of the public and the defendants in a speedy trial.

18 **[Remainder of page intentionally left blank.]**

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23 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
24 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
25 must commence.

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27 Dated: October 16, 2024

28 Respectfully submitted,

PHILLIP A. TALBERT
United States Attorney

By /s/ Robert L. Veneman-Hughes
ROBERT L. VENEMAN-HUGHES
Assistant United States Attorney

Dated: October 16, 2024

/s/ Christina Corcoran
CHRISTINA CORCORAN
Attorney for Defendant JOSEPH ROCHA

ORDER

IT IS SO ORDERED that the status conference is continued from October 23, 2024, to **January 22, 2025, at 1:00 p.m. in Courtroom 8 before Magistrate Judge Barbara A. McAuliffe**. Time is excluded pursuant to 18 U.S.C. § 3161(h)(1)(D), (h)(7)(A) and (h)(7)(B)(iv).

IT IS SO ORDERED.

Dated: **October 17, 2024**

/s/ *Barbara A. McAuliffe*
UNITED STATES MAGISTRATE JUDGE